

**FILED**

**JUN - 3 2010**

**RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MAURICE GRAYS

Defendant.

No. CR-08-00916-LB (DMR)

DETENTION ORDER

**I. DETENTION ORDER**

Defendant Maurice Grays is charged in a one-count information with a violation of 18 U.S.C. § 3146(a)(2) (failure to appear), a Class A misdemeanor. Mr. Grays made his initial appearance before this Court on June 3, 2010. At that time, the United States moved for Mr. Grays' detention pursuant to 18 U.S.C. § 3142(f)(2)(A) (because there is a serious risk that the defendant will flee), and asked for a detention hearing, as permitted by 18 U.S.C. § 3142(f). The government proffered that Mr. Grays' current charge stems from his failure to self-surrender in October 2008 for service of a four-month term of imprisonment imposed by Magistrate Judge Wayne D. Brazil. The government further proffered that Mr. Grays has been a fugitive since

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1 October 2008, and is subject to a federal prison hold.

2 At the June 3, 2010 hearing, Mr. Grays waived his right to a hearing to proffer information at  
3 this time in support of his release, *see* 18 U.S.C. § 3142(f) (a defendant has the right at a section  
4 3142(f) hearing, with the assistance of counsel, to testify, to present witnesses, to cross-examine  
5 adverse witnesses, and to present information by proffer or otherwise), but he retains his right to  
6 seek a new hearing to raise any additional relevant information at a later time.

7 After considering the limited information available to the Court, and the factors set forth  
8 in 18 U.S.C. § 3142(g), the Court detains Mr. Grays as a serious risk of flight and finds that no  
9 condition or combination of conditions in 18 U.S.C. § 3142(c) will reasonably assure his  
10 appearance in this case. *See* 18 U.S.C. §§ 3142(e) and (f); *United States v. Motamedi*, 767 F.2d  
11 1403, 1406 (9th Cir. 1985).

## 12 II. CONCLUSION

13 The Court detains Mr. Grays as a serious flight risk. Because Mr. Grays waived his right  
14 to present information under 18 U.S.C. § 3142(f) without prejudice to raising relevant  
15 information at a later hearing, the Court orders that the hearing may be reopened at Mr. Grays'  
16 request at any future time.

17 Mr. Grays shall remain committed to the custody of the Attorney General.

18 IT IS SO ORDERED.

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21 DATED: June 3, 2010



22 DONNA M. RYU  
23 United States Magistrate Judge  
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